REMARKS

Claims 1-11 and 22- 24 remain before the Examiner for reconsideration. Claims 1 and 14 have been amended. No new matter has been added and the claims amendment are fully supported in the specification and drawings as originally filed. Applicant will also timely file an RCE in due course.

REJECTIONS UNDER 35 USC 102(b)

Claim 14 stands rejected under 35 USC 102(b) as being anticipated by Hitchins et al. This rejection should be withdrawn in view of the remarks and amendments made herein.

Claim 14 is directed to a syringe and has been amended to include "at least one rotation member comprising at least one notch defined in the terminating edge of the rearward end of the body for releasably retaining a corresponding member of the syringe retaining mechanism of the injector, wherein the notch forms a discontinuous edge of the terminating end of the tubular body." The novel part of this syringe design is the notch which is shown in Fig. 48A. For example, the notch is formed in the edge of the tubular syrine body so that posts 2372 can operably engage the notches in the syringe. (see page 38, second paragraph, lines 5 -9). This unique structure can not be found in Hitchins.

Rather, Hitchens is drawn to an entirely different syringe structure. Although the Office Action alleges that Hitchins teaches a syringe including an attachment member 62' at the rearward end of the body, and a rotation member comprising a recess (just distal of 170' formed in the body for retaining a corresponding mechanism on the injector (Office Action, paragraph 2), this is not the case. Rather, 62' is merely a drip flange and does not attach the syringe to any part of the injector. Further, the recess distally located is not a "notch defined in the terminating edge of the rearward end of the body" and not "the notch forms a discontinuous edge of the terminating end of the tubular body." Accordingly, Hitchins does not disclose all of the structural features of Applicants' inventioon of Claim 14. Reconsderation of this rejection is requested.

REJECTIONS UNDER 35 USC 103

Claims 1-11 and 22-24 stand rejected under 35 USC 103(a) as being obvious over Reilly in view of Hitchins. The rejection should be withdrawn in view of the remarks and amendments made herein.

Claim 1 is directed to a syringe and has been amended to include, "at least one encoding ring recessed within and formed circumferentially around at least a portion of the rear end of the tubular body and operable to provide syringe information to the injector."

Applicants' invention includes this novel structure as shown in Figure 126 and as descibed at page 56, para 4 of the application as filed.

The Office Action alleges that Reilly teaches a syringe for use with an injector comprising a body (118), a plunger (26), an attachment member (126) at the frontward end of the body; a rotation member comprising a recess (120) formed in the body for retaining a corresponding mechanism on the injector (133). See Fig 11.

Further, the Office Action alleges that Reilly does not teach an encoding device located on the body of the syringe. Hitchins teaches a syringe body (50) for use with an injector (20) where the syringe includes coding (190, 192). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the known technique of an encoding ring on a syringe with the device of Reilly in order to provide an indication of the medication contained with the syringe or the size of the syringe, for example.

However, Reilly does not teach or suggest Applicants' invention. Reilly is directed to:

> [a] fluid injector indicated generally at 110 includes a pressure jacket 112 with a plurality of locking fingers 114 for engaging a syringe 116, shown in an open position in FIG. 10 and a closed position in FIG. 11. Pressure jacket 112 is connected at its rear end 132 to injector head 20 by any suitable means, such as a threaded connection (not shown). Syringe 116 has a cylindrical body 118 having a front end 120 and an open rear end 122. The front end 120 of syringe 116 is tapered and connected to a neck 124. A disk shaped drip flange 126 is formed around the neck 124. (Col. 5, lines 48-57, *Emphasis Added*)

Thus, the drip flange 126 is not an attachment member because structurally it does not provide any attachment between the body and the pressure jacket 112 that retains the syringe. Further, drip flange 126 is not releasably retained by the syringe retaining

mechanism, rather drip flange 126 remains outside of the syringe jacket 126. In fact, in Reilly the "front end 142 of the locking ring 140 is a distal annulus extending radially inwardly to form an open orifice 144 which permits the syringe body 118 to be inserted into pressure jacket 112, but does not permit the drip flange 126 to be inserted into pressure jacket 112. FIG. 10 shows that the front interior surface of the front end 142 is sloped to engage locking fingers 114 when in a closed position, as shown in FIG. 11 and more fully described below." (Col. 5, lines 11-19, *Emphasis Added*.) Also, the drip flange 126 of Reilly is **not** disposed on the the body of the syringe, but is disposed on the neck 124 which is distally located from a tapered front end 120 and, thus from the body 118. Therefore, Reilly does not disclose "at least one attachment member disposed on the rear end or the front end of the tubular body" as claimed in Applicants' invention of Claim 1.

The Offcie Action also alleges that Hitchins teaches a syringe body (50) for use with an injector (20) where the syringe includes coding (190, 192), and that it would have been obvious to one of ordinary skill in the art at the time the invention was made to use the known technique of an encoding ring with the device of Reilly in order to provide an indication of medication contained with the syringe or the size of the syringe.

However, there is not a teaching or suggestion of Applicants' invention of "at least one encoding ring recessed within and formed circumferentially around at least a portion of the rear end of the tubular body and operable to provide syringe information to the injector." Rather in Hitchin's, depressions 190, 192 are formed in the outer most flanges 170, 170'. The depressions 190, 192 are used to activate a mechanical spring activate switch. (Col. 10, line 66 – Col. 11, line 6). Thus, these depressions 10, 192 are not the ring that is formed in the tubular body, rather they are located on moutning flanges 170, 170'. Further, As illustrated in Fig. 5, a spring-acuated sensor switch 194 may be appropriately positioned to be activated by of the the depressions 190 or 192. Similarly, other depressions may be selectively formed in substantially any area of the mounting flange. (see Col., 11, lines 1-13). Thus, this requires the depressions to be located at the end of the syringe within the mounting flanges that extend outwardly from the syringe body. Thus, this is entirely different than Applicants' invention. Therefore, Hitchins fails to remedy the deficiencies of Reilly. Reconsideration of Claim 1 is requested.

Regarding Claim 3, Reilly does not teach or suggest Claim 3 because attachment member 126 is not a projection that is adapted to engage corresponding members of the syringe retaining mechanism to enable release of the syringe from the injector thought rotational movement. (see Col. 6, lines 20-37),

Regarding Claim 2, Reilly does not teach or suggest that the at least one attachment member comprises an annular ridge disposed on the tubular body. Rather the attachment memmber is forward of the front end 120 of the syringe which is connected to a neck 124. And, the drip flange 126 is formed around the neck 124 (Col. 5, lines 54-57)

Regarding Claim 4, Reilly does not teach or suggest the at least one attachment member that comprises one or more tab members because the drip flange 126 is one continuous disk shaped flange that is formed around the neck.

Regarding Claim 5, Reilly does not teach or suggest the tab members that comprise a first tab end attached to the body and a second tab end adapted to engage the syringe retaining mechanism of the injector. Rather, as discussed above drip flange 126 is connected and formed around the neck and does not attach to any part fo the syinge retaining mechanism.

Regarding Claim 6, Reilly does not teach or suggest tab members that are resilient members. In fact, Reilly teaches a drip flange 126 that is fixed around the neck 124. Further, Hitchins does not remedy any of the deficincies of Reilly, and therefore Claims 2-11 and 22-24 are not taught or disclosed by either Reilly or Hitchins, alone or in combination.

Further, Claims 2-11 and 22-24 depend from Claim 1, which as discussed is believed to be allowable. Accordingly, Claims 2-11 and 22-24 are also believed to be allowable. Reconsideration of the rejections of Claims 2-11 and 22-24 is requested.

In view of the above remarks, the Applicants respectfully request that the Examiner withdraw the rejections of the claims, indicate the allowability of the claims and arrange for an official Notice of Allowance to be issued in due course.

Respectfully submitted,

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